

**SUPREME COURT MINUTES
FRIDAY, FEBRUARY 22, 2008
SAN FRANCISCO, CALIFORNIA**

S151207 A111081 First Appellate District, Div. 5 **PEOPLE v. PRICE (ANTHONY)**
Supplemental briefing ordered

The court requests the parties to file supplemental briefs directed to the following questions:

1. Does Penal Code section 1026.5 authorize the confinement of a defendant pending a recommitment hearing when the prosecution files a recommitment petition, without good cause, so late that the defense is unable to prepare for trial before the commitment expires?
2. Do the facts in this case allow this court to reach question No. 1?
3. In the absence of a time waiver, does a trial court have jurisdiction to continue an NGI recommitment hearing beyond the expiration date of the defendant's current commitment?
4. Can a defendant waive time beyond the expiration date of his current NGI commitment, or does the court lose jurisdiction over the question of commitment once the final date of that commitment has passed?
5. Did defendant's time waiver here act to toll the running of his NGI commitment?
6. If the court loses jurisdiction to hold a committee once the NGI commitment expires, is there any other authority for the court to order a committee held for the protection of the committee or others?

The parties are directed to file simultaneous supplemental letter briefs on these questions in the San Francisco office of the Supreme Court on or before Thursday, March 13, 2008.

Simultaneous reply briefs may be filed in the San Francisco office of the Supreme Court on or before Monday, March 24, 2008.

S159094 G038038 Fourth Appellate District, Div. 3 **PEOPLE v. MOUSSABECK
(OMAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 7, 2008.

S159495 B194690 Second Appellate District, Div. 4 **PEOPLE v. SUN (HUI)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 4, 2008.

S159525 B204388 Second Appellate District, Div. 7 **WILMONT (DENNIS) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
March 28, 2008.

S159564 C052327 Third Appellate District **PEOPLE v. MASSEY (BYRON
SCOTT)**
The time for granting or denying review in the above-entitled matter is hereby extended to
April 1, 2008.

S159565 E044550 Fourth Appellate District, Div. 2 **FEDERICO (DEWAYNE) ON
H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
April 1, 2008.

S159594 B193727 Second Appellate District, Div. 4 **PEOPLE v. LOPEZ (TOMMY
BONIFACIO)**
The time for granting or denying review in the above-entitled matter is hereby extended to
April 1, 2008.

S159614 A112828 First Appellate District, Div. 3 **PEOPLE v. HEREDIA (AARON)**
The time for granting or denying review in the above-entitled matter is hereby extended to
April 3, 2008.

S159615 A111313 First Appellate District, Div. 1 **PEOPLE v. WYNN (AMU
BILLY)**
The time for granting or denying review in the above-entitled matter is hereby extended to
April 8, 2008.

S159645 C057639 Third Appellate District **MONTALVO (THOMAS) ON
H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
April 4, 2008.

S159665 E039093 Fourth Appellate District, Div. 2 **PEOPLE v. SCOTT (GERRY GLENN)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 4, 2008.

S159684 B194581 Second Appellate District, Div. 6 **KING (JOHN E.) v. S.C. (MIDLAND PACIFIC BUILDING CORPORATION)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 7, 2008.

S159714 B188471 Second Appellate District, Div. 2 **PEOPLE v. MAYO (JOSE)**
The time for granting or denying review in the above-entitled matter is hereby extended to April 7, 2008.

S159745 C053349/C052634 Third Appellate District **PEOPLE v. POTTER (KATHRYN ELIZABETH)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2008.

S159784 E044593 Fourth Appellate District, Div. 2 **HOLTSINGER (MICHAEL) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2008.

S159785 C050512 Third Appellate District **PEOPLE v. WILKERSON (DEVERY)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2008.

S159804 A110774 First Appellate District, Div. 5 **PEOPLE v. MUHAMMAD (MALIK ALI)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2008.

S159934 E040443 Fourth Appellate District, Div. 2 **PEOPLE v. ZENTENO
(RICARDO ARVIZO)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 10, 2008.

S157565 E041226 Fourth Appellate District, Div. 2 **PEOPLE v. MCNEAL
(TIMMIE LANCE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Appellate Defenders, Inc., is hereby appointed to represent appellant on the appeal now pending in this court. Appellant's brief on the merits must be served and filed on or before 30 days from this order.

S158528 C044703 Third Appellate District **PEOPLE v. ROBINSON
(PAUL EUGENE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Cara DeVito is hereby appointed to represent appellant on the appeal now pending in this court. Appellant's brief on the merits must be served on or before thirty (30) days from the date of this order.

S050583 **PEOPLE v. HOWARD
(DEMETRIUS CHARLES)**

Order filed

Appellant's "motion for permission to file supplemental opening brief" and "application and declaration for leave to file supplemental opening brief exceeding 2,800 words" are granted. The supplemental respondent's brief must be served and filed on or before April 22, 2008.

Appellant's supplemental reply brief will be due within 30 days of the filing of the supplemental respondent's brief.

S079179 **PEOPLE v. BACON (ROBERT
ALLEN)**

Order filed

Appellant's "request for permission to file supplemental opening brief" is granted. the supplemental respondent's brief must be served and filed on or before March 19, 2008.

Appellant's supplemental reply brief will be due within 20 days of the filing of the supplemental respondent's brief.

S146415**MADISON ON DISCIPLINE**

Probation revoked

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and MARK E. MADISON, State Bar No. 158786, must be actually suspended from the practice of law for 60 days. It is further ordered that MARK E. MADISON be placed on probation for two years subject to the same conditions of probation previously imposed in State Bar Court case No. 05-O-01797 (S146415). Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 806)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)